

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CARLOS WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:20-CV-437-KAC-DCP
	)	
CITY OF OAK RIDGE,	)	
TENNESSEE, et al.,	)	
	)	
Defendants.	)	

**ORDER CLOSING CASE**


Before the Court is the Parties' "Stipulation of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(ii)" [Doc. 50]. On September 29, 2022, the Parties filed a joint stipulation signed by all Parties in this case, indicating that "the above-captioned action is voluntarily dismissed, without prejudice" "pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(ii)" [*Id.* at 1]. But the stipulation contains a line for the Court to counter-sign and order dismissal of the action [*Id.* at 2].

The Federal Rules of Civil Procedure provide two distinct procedures for dismissal that are relevant here. **First**, under Rule 41(a)(1)(A)(ii), "the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared." "Rule 41(a)(1)(A)(ii) orders, generally speaking are 'self-executing' and do 'not require judicial approval.'" *Exact Software N. Am., Inc. v. DeMoisey*, 718 F.3d 535, 540 (6th Cir. 2013) (quoting *Green v. Nevers*, 111 F.3d 1295, 1301 (6th Cir. 1997)). **Second**, under Rule 41(a)(2), "[e]xcept as provided in Rule 41(a)(1), an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper."

Here, the Parties have satisfied the requirements for dismissal under Rule 41(a)(1)(A)(ii) [See Doc. 50]. As such, the Parties' stipulation of voluntary dismissal was effective on September

29, 2022 when filed, and no order from this Court is required. *See Exact Software N. Am., Inc.*, 718 F.3d at 540; *see also Dillon-Barber v. Regents of the Univ. of Mich.*, 51 F. App'x 946, 951 (6th Cir. 2002). Because there are no issues remaining in this case, the Court **DIRECTS** the Clerk of Court to close the case.

IT IS SO ORDERED.

  
KATHERINE A. CRYTZER  
United States District Judge